

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Housing Department – APHB –Disposal of stray pieces of A.P. Housing Board lands to the adjacent A.P. Housing Board house allottees / house owners – Revised Orders - Issued.

HOUSING (HB-II) DEPARTMENT

G.O.Ms.No. 6

Dated: 29-3-2011.

Read the following:-

1. G.O.Ms.No.38, Housing (H.B.II) Deptt., dt.30-05-1997.
2. From the VC &HC., APHB., Hyd, Lr. No. 185/HIG/ BVP / AEO (L)/2010, dt: 23-4-2010.
3. Govt. Letter No. 1329/HB.II(1)/2010-1, dt: 26-5-2010.
4. From the VC &HC., APHB., Hyd, Lr. No. 185 /HIG/ BVP / AEO (L)/2010, dt: 16-11-2010.

@@@

ORDER:

In the G.O. 1st read above, orders were issued permitting the A.P.H.B. to sell stray pieces of lands measuring 100.00 Sq.Yards and above each, not required by the A.P. Housing Board, by public auction and lands measuring less than 100.00 Sq.Yards each, other than foot paths and roads to the adjacent house owners on current market value without public auction subject to the condition that "No Objection Certificate" is obtained from the concerned Municipal Corporations / Municipalities / Local Bodies in case of Residential areas and in case of areas with Commercial value by public auction.

2. In his letters 2nd and 4th read above, the Vice Chairman & Housing Commissioner, A.P. Housing Board has reported that A.P. Housing Board has constructed 12 houses at Bhavanipuram, Vijayawada and allottees taken over possession of houses with plot area of site 281.09 sq.yards in 1998, whereas notified plot area is 218.00 sq. yards. When the allottees were informed for payment of the excess land cost, they represented to the Board to charge the basic value of land in the year 1998 which was at Rs. 500/- per sq. yard and to charge the interest thereon till the date of payment. The APHB has rejected their request, as it was not in conformity with the office circular and practice. Aggrieved by the decision of the Board, the allottees filed cases in the District Consumer Forum-II, Krishna, Vijayawada. The Forum issued orders on 19-12-2009 allowing the complaint and directed the opposite parties (i.e., APHB) to execute valid registered sale deed in favour of complainant by receiving the balance (installments) amount if any and the value of excess land fixing the rate prevailing on the date of delivery or possession with interest @ 12% p.a. and other incidental charges such as registration charges etc.,

3. The VC & HC has also stated that A.P. Housing Board filed an appeal before the State Commission & the National Commission against the orders of District Consumer Forum. The State and National Commissions have given directions to sell the excess land on the basis of the Sub-Registrar's value at the time of handing over the house with 12% interest. Accordingly, the A.P. Housing Board, has implemented the said orders and approved the rate at Rs.500/- Sq.yd based on Sub-Registrar's value at the time of the handing over the house to the allottee together with interest @12% P.A till the date of payment in respect of 10 cases. When the matter was placed before the Board to seek permission to implement the decision of the National Commission orders in respect of H.No.185 at Bhavanipuram, the Board in its

Contd...

513th meeting held on 31-3-2010, passed a resolution authorizing the Vice Chairman & Housing Commissioner, A.P. Housing Board to approach the Government to issue necessary modified orders to amend the G.O.Ms.No.38, Housing Department, dt.30-5-1997. Accordingly, the Vice Chairman & Housing Commissioner, A.P. Housing Board has requested the Government to prescribe the procedure for disposal of stray pieces of land to the adjacent house allottees/owners and to amend the orders issued in the G.O. 1st read above, suitably.

4. Government, after careful consideration of the circumstances stated by the Vice Chairman and Housing Commissioner, A.P. Housing Board in his letters 2nd and 4th read above, and in supercession of the orders issued in the reference 1st read above, hereby issue the following revised orders prescribing the procedure for disposal of stray pieces of lands to the adjacent house allottees / house owners in the State.

S.No.	Stray pieces of land	Less than 100 sq.yards	More than 100 sq. yards
I	Adjacent to APHB allottee's house and cannot be used by APHB in any manner or cannot be used for other purpose or where there is no access other than through allottee's land	Basic value as on the date of handing over the houses plus 12% simple interest till the date of payment.	Basic value as on the date of handing over the houses plus 12% simple interest till the date of payment.
II	Adjacent to APHB allottee's house with proper approach and can be put to use for some purpose	Prevailing market value	Tender-cum -auction, in case APHB decided to dispose that land
III	To an adjacent house owners who is not an allottee of APHB	At the prevailing market value.	Tender-cum-auction, in case APHB decided to dispose that land

5. The Vice Chairman & Housing Commissioner, A.P. Housing Board, shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M. SAMUEL

SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Vice Chairman & Housing Commissioner, A.P. Housing Board, Hyderabad

Copy to: G.O.Ms.No.38, Housing (HB-II) Deptt., dt.30-05-1997.

SF / SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER